



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,668	01/04/2001	Toshio Shimosako	1907-0196P	1958

7590 06/18/2003

BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. BOX 747  
Falls Church, VA 22040-0747

EXAMINER

YENKE, BRIAN P

ART UNIT	PAPER NUMBER
----------	--------------

2614

DATE MAILED: 06/18/2003

64

Please find below and/or attached an Office communication concerning this application or proceeding.

2

**Office Action Summary**

Application No.

09/753,668

Applicant(s)

SHIMOSAKO ET AL. 

Examiner

BRIAN P. YENKE

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Priority***


1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.



- 2a. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Allport, US 6,097,441.

In considering claim 1, *the claimed an information processing device having a television display function and provided with a small display device in addition to a display device for the information processing device, wherein, when a power supply is turned on, a TV picture is displayed on the display device and TV sound is output, an operating state and a starting state of the information processing device is displayed on the small display device.*

Allport discloses a system for dual-display interaction, where the system includes a TV (80), Base station (75) and remote control (10), where the base station can also be incorporated in either the TV or remote (Fig 2, col 9, line 19-34). The remote control (10) (small display device), includes a display screen 15 (col 7, line 2-4), where the remote control can also function as a regular portable TV (col 5, line 1-4). The remote control affords the user the ability to view multiple data streams using two different displays, one being the TV (80) and the second being the remote's own display screen. The remote is able to control the TV 80 and also various consumer devices and appliances which respond to the remotes commands. Thus when the remote turns on the TV 80 (power supply is turned on), the TV 80 will display the selected channel along with the audio of the selected channel.

Allport incorporates the entire disclosure US application 09/001873 (now US Patent 6,104,334) into the disclosure of US 6,097,441 (col 1, line 6-13). As disclosed by Allport, in US 6,097,441, the remote control includes programmable function keys and a graphical display to show status and help information on the devices being controlled and allows the consumer to browse, select or otherwise manipulate data related to the control of the consumer devices (col 4, line 28-39). The on-display help also simplifies the initial device configuration and status and other feedback information is available on-display during actual operation (col 5, line 23-33). Allport also discloses that passwords and filters may be programmed into the remote to limit or deny access to certain information (i.e. parental control) (col 5, line 33-44). Allport also discloses that while viewing a TV program, the audio output can be changed

to the audio from another room in the house (col 10, line 11-17). As to the operating state and starting state, Allport discloses that the remote screen 15 allows the consumer to monitor and control the current status of the devices, the future tasks scheduled to be performed by the devices and the prior history of the tasks to be performed (col 10, line 18-26).

In considering claim 2,

*The claimed an information processing device having a TV display function and provided with a small display device in addition to a display device for information processing device, wherein a currently selected TV channel number and TV channel information is displayed on the small display device* is met by Allport discloses a system for dual-display interaction, where the system includes a TV (80), Base station (75) and remote control (10), where the base station can also be incorporated in either the TV or remote (Fig 2, col 9, line 19-34). The remote control (10) (small display device), includes a display screen 15 (col 7, line 2-4), where the remote control can also function as a regular portable TV (col 5, line 1-4). The remote control affords the user the ability to view multiple data streams using two different displays, one being the TV (80) and the second being the remote's own display screen.

Allport also incorporates the entire disclosure of US 6,104,334 (application 09/001873) which states that the remote control 10, includes a first area 146 which is used to display a description 150 of the current program being watched on the primary display, the information includes the source of the picture entertainment channel, that

station or channel, the name of the program and the start and end time of the picture entertainment.

In considering claim 3,

*The claimed an information processing device having a TV display function and provided with a small display device in addition to a display device for the information processing device, which possesses a function of handling plural input sources for TV output and a function of displaying information of a currently selected input source of the plural input sources on the small display device* is met by Allport which discloses a system for dual-display interaction, where the system includes a TV (80), Base station (75) and remote control (10), where the base station can also be incorporated in either the TV or remote (Fig 2, col 9, line 19-34). The remote control (10) (small display device), includes a display screen 15 (col 7, line 2-4), where the remote control can also function as a regular portable TV (col 5, line 1-4). The remote control affords the user the ability to view multiple data streams using two different displays, one being the TV (80) and the second being the remote's own display screen. As shown in Figure 3, base station 8 receives multiple input sources, including HTML data 95 and digital data (A) and analog data (B) from signal 85 (i.e. broadcast TV, satellite TV, VCR, Laser Disc, DVD, cable TV etc)

In considering claim 4,

*The claimed an information processing device having a TV display function and provided with a small display device in addition to a display device for the information*

Art Unit: 2614

*processing device, wherein TV sound volume information is displayed on the small display device* is met by Allport which discloses a system for dual-display interaction, where the system includes a TV (80), Base station (75) and remote control (10), where the base station can also be incorporated in either the TV or remote (Fig 2, col 9, line 19-34). As disclosed by Allport, the additional display screen (LCD 15 of remote 10) can display status information during attribute adjustment (e.g., to volume, contrast, color, tint, brightness, sound etc.) (col 3, line 63 to col 4, line 3).

In considering claim 5,

*The claimed an information processing device having a TV display function and provided with a small display device in addition to a display device for the information processing device, which is further provided with function for selecting a content of information to be displayed on the small display device, wherein an operating state and a starting state of the information processing device, a currently selected TV channel number and TV channel information, a currently selected input source and TV sound volume information are selectively displayed on the small display screen.*

Allport discloses a system for dual-display interaction, where the system includes a TV (80), Base station (75) and remote control (10), where the base station can also be incorporated in either the TV or remote (Fig 2, col 9, line 19-34). The remote control (10) (small display device), includes a display screen 15 (col 7, line 2-4), where the remote control can also function as a regular portable TV (col 5, line 1-4). The remote control affords the user the ability to view multiple data streams using two different

displays, one being the TV (80) and the second being the remote's own display screen. The remote is able to control the TV 80 and also various consumer devices and appliances which respond to the remotes commands. As disclosed by Allport, the additional display screen (LCD 15 of remote 10) can display status information during attribute adjustment (e.g., to volume, contrast, color, tint, brightness, sound etc.) (col 3, line 63 to col 4, line 3).

Allport also incorporates the entire disclosure of US 6,104,334 (application 09/001873) which states that the remote control 10, includes a first area 146 which is used to display a description 150 of the current program being watched on the primary display, the information includes the source of the picture entertainment channel, that station or channel, the name of the program and the start and end time of the picture entertainment. As disclosed by Allport, in US 6,097,441, the remote control includes programmable function keys and a graphical display to show status and help information on the devices being controlled and allows the consumer to browse, select or otherwise manipulate data related to the control of the consumer devices (col 4, line 28-39). The on-display help also simplifies the initial device configuration and status and other feedback information is available on-display during actual operation (col 5, line 23-33). Allport also discloses that passwords and filters may be programmed into the remote to limit or deny access to certain information (i.e. parental control) (col 5, line 33-44). Allport also discloses that while viewing a TV program, the audio output can be changed to the audio from another room in the house (col 10, line 11-17). As to the



Art Unit: 2614

operating state and starting state, Allport discloses that the remote screen 15 allows the consumer to monitor and control the current status of the devices, the future tasks scheduled to be performed by the devices and the prior history of the tasks to be performed (col 10, line 18-26).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sampsell, US 6,496,122 discloses an image display and remote control system capable of displaying two distinct images.

Nelson, US 5,710,605 discloses a remote control unit for controlling a TV and VCR where the remote control includes various menu options for the user (Fig 7).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (703) 305-9871. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John W. Miller, can be reached at (703)305-4795.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

Art Unit: 2614

**(703) 872-9314**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703)305-4700.



BRIAN P. YENKE  
Patent Examiner  
Art Unit 2614



B.P.Y.  
June 16, 2003